

Skimming the Surface: A Look into Quebec Notarial Records

Jacqueline Kanyuck

Notarial Records are legal contracts made between individuals. These records began in Quebec around 1626. Not all these records have been digitized, but there are a great deal digitized on FamilySearch.org

Key Dates in Quebec History

- **1763:** 1660 and 1763, France owned the area encompassing Quebec running down south to Louisiana. As a result of the Treaty of Paris, France turned over the land to Great Britain.
- **1774:** The Quebec Act recognized the legitimacy of the French Civil Law and the French language. It also gave authority to the Roman Catholic churches to hold public office and to enforce tithes. This act explains the huge French influence in the area and the reason for the continual use of the French Civil Law in Quebec.
- **1791-1841:** Due to the Canada Act of 1791, Quebec became known as Lower Canada, as Quebec lay down the St. Lawrence River. During this time, an influx of British Loyalists immigrated to Lower Canada demanding land and representation in government. Ontario became known as Upper Canada.
- **1841-1867:** The Province of Canada is formed. Modern-day Quebec is renamed Canada East and modern-day Ontario is renamed Canada West.
- **1867:** The dominion of Canada by the Canada Confederation on 1 July 1867. 4 provinces were formed: Quebec, Ontario, New Brunswick, and Nova Scotia. The French-Canadian community was granted control of the Quebec provincial government.

Introduction to Quebec Notarial Records

Quebec Notaries

Notaries are legal professionals that maintained copies of these legal contracts and sent their minutes and extra copies to the local Judicial District. Quebec notaries differ from notaries in the United States and are more similar to notaries in France. Notaries in the U.S. act as witnesses to the documents, while those in Quebec record and maintain the copies of legal documents. These notarial records tend to be a lot more personable than regular court records.

While doing research in notarial records, it is important to know the name of the notary who served in the same place and time period where you are doing research. There are many resources to discover the names of notaries in different localities. Here are a few of the most used:

- The Notaries of French Canada, 1626–1900: Alphabetical, Chronologically, by Area Served by Robert J. Quintin.
- Index des greffes des notaires décédés, 1645–1948 (Index of Deceased Notaries) by J. M. Laliberté.

For more resources, see the FamilySearch Wiki on Quebec notarial records.

Notarial Records

Notarial Records in Quebec tend to be a lot more personable and anecdotal. The notary and the persons making contracts decided what was important to include in the records. These records are often written in French and English, but they are sometimes written in Latin or even Italian. For help with translation use the FamilySearch community pages, Facebook genealogy groups, or the FamilySearch Wiki article "French Genealogical Word List."

There are three main types of notarial records that you will come across with a variety of others:

- Land transactions
- Marriage contracts
- Wills, estate inventories, and estate divisions

Land Transactions

These land transactions can be sales of land, gifts of land, division of land, etc. Within these records you can find a good deal of genealogical information: names of parties, residence of parties, maiden names of parties and parties' wives, marital statuses, etc.

Marriage Contracts

These records are akin to prenuptial agreements. These records discuss the assets of both parties and what they are bringing into the marriage. They also discuss things like the bride's dowry, division of land obtained during the marriage, and division of land obtained before marriage. These contracts can contain information about the economical status of each individual, marital status, parents, residences, and ages.

Wills, Estate Inventories, and Estate Divisions

These are probate records in Quebec. Information that is expected in regular probate records is usually found in these records.

Finding Quebec Notarial Records

Starting Notarial Record Research

Before looking into notarial records, there is some information needed:

- Name of the ancestor/research subject
- Places they lived with a timeline
- Name(s) of the notary that served in the area of residence in the same time period
- Possible relatives or neighbors

Online Notarial Record Research

Keep in mind that not all notarial records will be digitized. Copies of notarial records are held at the Bibliothèque et Archives Nationales du Québec (National Library and Archives of Quebec).

There are three main websites to use when searching for notarial records online:

FamilySearch.org, Ancestry, and Genealogie Quebec.

FamilySearch.org has a large collection of copies of contracts. However, there are few indexes in these records. It can be valuable to use Ancestry's Drouin collection in conjunction with these records. Use the FamilySearch Catalog to find these collections. Do a place search in the FamilySearch Catalog at the county level to see all the notaries that we have records for in a jurisdiction. Do an author search in the FamilySearch Catalog to find collections by a specific notary.

Ancestry's Drouin Collection is a valuable resource in searching for notarial records. There is a section of the Drouin Collection dedicated to notarial records. This collection contains indexes

and repertoires of notarial records. The search feature of this collection helps to find the indexes made by a notary. The search feature does not search names within their indexes.

Genealogie Quebec (genealogiequebec.com) has the entire Drouin Collection digitized and indexed. Their collection contains 83,000 notarized documents over the 19th and 20th centuries. These documents are indexed by the type of document, the names given in the document, the name of the notary, and the date and location. Within the indexes, the original can be viewed. This website is a paid site, but it does offer yearly, monthly, and even 24-hour subscriptions.

Limitations

As you are doing research in notarial records remember the various limitations that you may encounter:

- There are few indexes for these records. Even the Drouin collection is not a complete index.
- The records are organized by notaries in archives. There can be several notaries for an area in the same time period with thousands of contracts.
- Most of the records are written in French. There are some written in English, Latin, and even Italian.
- Onsite research in Quebec may be necessary as there are many notarial records that are not digitized.